

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

## APPLICATION TO APPROVE EMPLOYMENT OF SPECIAL COUNSEL

COME NOW Debtors, by and through undersigned counsel, and respectfully request that this Court approve the employment of Jeffrey Flynn as Special Counsel, specifically to represent the Debtor/wife as counsel of record with regard to a Social Security Claim. In support of this application, Debtors show to this Court the following:

1

On September 13, 2011, Debtors filed a Petition for relief under Chapter 13 of the Bankruptcy Code. Debtors' Chapter 13 Plan was confirmed on December 5, 2011.

2

On or about October 18, 2010, Debtor/wife retained Jeffrey Flynn as counsel to represent her in a Social Security Claim.

3

Debtors desire that the Court approve the employment of Jeffrey Flynn as Special Counsel for the express purpose of representing Debtor/wife in matters relating to her Social Security Claim.

4.

Debtor/wife has employed Jeffrey Flynn for professional services and agreed to payment agreement in contract to hire Special Counsel. All remaining compensation paid to Debtor/wife is subject to approval by this Honorable Court. The attorney-client agreement between Debtor/husband and Counsel is attached hereto as Exhibit "A". Debtors believe that approval of the employment of Jeffrey Flynn as Special Counsel would be in the best interest of the estate.

5.

Debtors acknowledge that any money received or owed in the lawsuit is subject to the approval of the Chapter 13 Trustee and the United States Bankruptcy Court.

6.

The professional services that Jeffrey Flynn is to render include, but are not limited to:

- a) Providing Debtor/wife with legal and counseling services regarding Social Security Claims;
- b) Preparing on behalf of Debtor/wife the necessary applications, pleadings, forms, motions, answers, orders and other legal papers pursuant to the matter; and,
- c) Performing all other related legal services for Debtor/wife that are reasonably necessary.

7.

To the best or Debtors' knowledge, Jeffrey Flynn does not hold or represent any interest adverse to the estate and is a disinterested person within the meaning of 11 U.S.C. § 101 (14). Specially he is not a creditor or any other party in interest herein, the United States Trustee, the Chapter 13 Trustee, or any person employed in the office of the Chapter 13 Trustee, and represents no interest adverse to the Debtors with respect to any matter for which employed by Debtor/wife. The Affidavit of Counsel is attached hereto as Exhibit "B".

WHEREFORE, Debtors pray that this Court approve Debtor/wife's employment of Jeffrey Flynn as Special Counsel in Debtor/wife's Social Security Claim as provided under Chapter 13 of the Bankruptcy Code, with all compensation to be paid subject to the Court's approval.

This 21st day of March 2012:

Respectfully submitted by:

By: Jordan Van Matre /s  
Jordan Van Matre  
Attorney for Debtors  
GA Bar No. 867176  
Robert J. Semrad & Associates  
101 Marietta Street  
Suite 3600  
Atlanta, GA 30303  
(678) 668-7160

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

IN RE: ) CHAPTER 13  
 )  
 Harry S Goines, ) CASE NO. 11-76654-JRS  
 Alberta Burnice Goines, )  
 )  
 Debtors. )

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**CERTIFICATE OF SERVICE:**

I hereby certify that I am over the age of 18 and that on this day I served a copy of the foregoing Application to Approve Employment of Special Counsel filed in this Bankruptcy Case upon the following by depositing a copy of same in the United States Mail with sufficient postage thereon to ensure delivery to:

**Harry S Goines**  
**Alberta Burnice Goines**  
460 Thomasville Blvd SE  
Atlanta, GA 30315

**U.S. Trustee**  
Office of the US Trustee  
Suite 362  
75 Spring Street, SW  
Atlanta, GA 30303

**Jeffrey Flynn**  
1447 Peachtree Street NE  
Suite 414  
Atlanta, GA 30309

I further certify that, by agreement of parties, Adam M. Goodman, Standing Chapter 13 Trustee, was served via the ECF electronic mail/noticing system.

This 21st day of March 2012:

Respectfully submitted by:

By: Jordan Van Matre /s  
Jordan Van Matre  
Attorney for Debtors  
GA Bar No. 867176  
Robert J. Semrad & Associates  
101 Marietta Street  
Suite 3600  
Atlanta, GA 30303  
(678) 668-7160

# **EXHIBIT A**

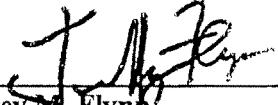
### FEE AGREEMENT

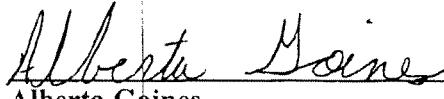
My representative, Jeffrey Flynn and I, **Alberta Goines**, Social Security Number being **420-96-9558**, understand that in order for a fee to be payable, the Social Security Administration (SSA) must approve any fee my representative charges or collects from me for services my representative provides in proceedings before SSA in connection with my claim (s) for benefits.

We agree that if SSA favorably decides the claim (s), I will pay my representative a fee equal to the lesser of 25 percent of the past-due benefits resulting from my claim (s) or \$6,000.00.

We understand that Social Security past-due benefits are the total amount of money to which I and any auxiliary beneficiaries become entitled through the month before the month SSA effectuates a favorable administrative determination or decision on my Social Security claim and that Supplemental Security Income (SSI) past due benefits are the total amount of money for which I become eligible through the month SSA effectuates a favorable administrative determination or decision on my SSI claim. We further understand that the fee for both claims may not exceed the lesser of \$6,000.00 or 25 percent of the combined past-due benefits

We both have received signed copies of this agreement.

  
\_\_\_\_\_  
Jeffrey M. Flynn

  
\_\_\_\_\_  
Alberta Goines  
SSN: 420-96-9558

Date: 10/18/2010

## **EXHIBIT B**

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

IN RE: ) CHAPTER 13  
 )  
Harry S Goines, ) CASE NO. 11-76654-JRS  
Alberta Burnice Goines, )  
 )  
Debtors. )

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**AFFIDAVIT AND VERIFICATION UNDER BANKRUPTCY RULE 2014**

COMES NOW the undersigned affiant, Jeffrey Flynn, after being duly sworn and hereby state as follows:

1.

I am an attorney lawfully admitted to practice law in the State of Georgia. My business address is 1447 Peachtree Street, NE, Suite 414, Atlanta, Ga. 30309.

2.

I will counsel with and represent the applicant in performing services as Special Counsel and render services similar to those performed prior to the filing of Debtor's case.

3.

I represent no interest which would be adverse to this estate in the matters in which we are to be engaged.

4.

After being duly sworn, I declare under penalty of perjury that the statements set forth in this Verification are true and correct to the best of my knowledge, information, and belief.

Jeffrey Flynn  
260552 Bar No:

Sworn to and subscribed before me this  
21<sup>st</sup> day of March, 2012.

Tamika McCloud  
Notary Public.

